APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/536,732	05/27/2005	Eric Desmicht	FR02 0129 US	4315

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NXP, B.V.
NXP INTELLECTUAL PROPERTY DEPARTMENT
M/S41-SJ
1109 MCKAY DRIVE
SAN JOSE, CA 95131

EXAMINER
OKEKE, IZUNNA

ART UNIT	PAPER NUMBER
4193	

NOTIFICATION DATE	DELIVERY MODE
05/07/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ip.department.us@nxp.com

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on <u>27 May 2005</u>.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-11</u> is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-11</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on <u>05/27/2005</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　a)☒ All b)☐ Some * c)☐ None of:

　　1.☒ Certified copies of the priority documents have been received.

　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
　　　　application from the International Bureau (PCT Rule 17.2(a)).

　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>05/27/2005</u>.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by
> another filed in the United States before the invention by the applicant for patent or (2) a patent granted
> on an application for patent by another filed in the United States before the invention by the applicant
> for patent, except that an international application filed under the treaty defined in section 351(a) shall
> have the effects for purposes of this subsection of an application filed in the United States only if the
> international application designated the United States and was published under Article 21(2) of such
> treaty in the English language.

2.   Claims 1-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Moller et

al. (US-2003/0014653).

a.   *Referring to claim 1:*

Regarding claim 1, Moller teaches a chip for processing a content, comprising at

least a microprocessor, characterized in that said chip includes an integrated non-volatile

programmable memory for storing protection data and protected data, said protection data

being intended to be used for authorizing/denying access to said protected data by said

microprocessor while a program is executed (Para 6 and 7 teaches a chip for processing a

content, the chip comprises a microprocessor and non-volatile memory for storing

protection data for authorizing/denying access to protected data).

a.   *Referring to claim 2:*

Regarding claim 2, Moller teaches a chip according to Claim 1, wherein said

protection data are only modifiable so as to increase the protection (Para 8, Line 7-11 and

Para 25 teaches the protection data only modifiable to increase the protection by

replacing the protection data adding new protection data).

a.   *Referring to claim 3:*

Regarding claim 3, Moller teaches a chip according to Claim 1, wherein said protection data include a password, said access being authorized/denied through a password check (Para 10 teaches the protection data including a password or keyword and access being authorized or denied thru a password check).

a.   *Referring to claim 4:*

Regarding claim 4, Moller teaches a chip according to one Claim 1, wherein said protected data include data to activate/deactivate an optional feature of the chip (Para 28, line 1-6 teaches 1 and 0 data for activating/deactivating an optional feature of the chip).

a.   *Referring to claim 5:*

Regarding claim 5, Moller teaches a chip according to Claim 4, wherein said optional feature is a connection to an external device for downloading a program and/or data from said external device (Para 28 teaches the feature as a connection to an external interface or device).

a.   *Referring to claim 6:*

Regarding claim 6, Moller teaches a chip according to Claim 4, wherein said protected data include data to activate/deactivate an external boot program for said microprocessor, said external boot program including instructions for downloading a new boot program for said microprocessor from an external memory (Para 12 teaches a PCR register in the memory block containing protected data which include data to activate/deactivate external data interfaces for downloading or modifying or debugging an initialization or boot program).

a.   *Referring to claim 7:*

Regarding claim 7, Moller teaches a chip according Claim 1, wherein said protection data include a value defining an address limit from which the data stored at said memory are protected data and access to such protected data is denied (Para 24 teaches a defined address limit for the protected data and access is denied).

a.   *Referring to claim 8:*

Regarding claim 8, Moller teaches a chip according to Claim 7, wherein said protected data include programs and data for operating a conditional-access dedicated microprocessor (Para 22 teaches the protected data including initialization programs for operating a microprocessor).

a.   *Referring to claim 9:*

Regarding claim 9, Moller teaches a device intended to recover a content from a media and to process said content, said device including a connection to said media and a chip as claimed in Claim 1 (See Para 5 and Para 9 teaches a device to recover and process a content including a connection to the media and chip).

a.   *Referring to claim 10:*

Regarding claim 10, Moller teaches a device as claimed in Claim 10, intended to process encrypted video/audio data (See Para 9).

a.   *Referring to claim 11:*

Regarding claim 11, Moller teaches A method for obtaining a protected chip including at least a microprocessor, said method using a chip as claimed in Claim 1, said method including the steps of:

using at least an authorized access to modify protected data in said non-volatile memory (Para 12, Line 17-20 teaches using an authorized access to modify protected

data) ,

protecting the access to said protected data in non-volatile memory by modifying

protection data in order to deny said access (Para 25 teaches modifying the protection

data to protect access to the protected data).

Conclusion

3.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

a.   Watt et al. (US-7305534) discloses the present invention provides a data

processing apparatus and method for controlling access to a memory. (See Abstract)

b.   Lewis et al. (US-7000115) discloses a smart chip protection system contains a

unique public/private identity key pair and uses a separate public/private signature key

pair. (See Abstract)

c.   Le Roux et al. (US-6182205) discloses the invention relates to exchangeable

memory or PC-cards with several integrated circuits for personal computers. (See

Abstract)

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Izunna Okeke whose telephone number is (571) 270-

3854. The examiner can normally be reached on Monday - Friday 7:30 AM - 5:00 PM

EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Long Nguyen can be reached on (571) 272-1753. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the
Patent Application Information Retrieval (PAIR) system. Status information for
published applications may be obtained from either Private PAIR or Public PAIR. Status
information for unpublished applications is available through Private PAIR only. For
more information about the PAIR system, see http://pair-direct.uspto.gov. Should you
have questions on access to the Private PAIR system, contact the Electronic Business
Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO
Customer Service Representative or access to the automated information system, call
800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/Taghi T. Arani/
Supervisory Patent Examiner, Art Unit 4193
4/30/2008